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June 6, 2012

Via Fax Transmittal 212-805-6737

Honorable George B. Daniels, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

JUN 12 2012

SO ORDERED

The conference is scheduled for
November 14, 2012 at 9:30 a.m.

George B. Daniels
HON. GEORGE B. DANIELS

Re: EPIC Security Corp. v. AMCC Corp. and Charles Marino
Southern District of New York - Case No. 11-civ-7903 (GBD)

Dear Honorable Sir:

As the Court is aware, our office represents the above-named Plaintiff and it is in this capacity which we write.

First and foremost, my adversary and I wish join sentiments in apologizing to the Court for our nonappearance at yesterday's conference.

There is a pending New York State action which involve the same parties. However, the Federal action contains a RJCO cause of action. In the past the parties, upon the suggestion of the Court, has calendared this matter until after the matter pending in the New York County Supreme Court entitled EPIC Security Corp. vs. AMCC Corp. (Index No. 601519/08) had either been tried or settled.

Unfortunately, due to the retirement of the assigned judge in New York County Supreme Court, and the resulting backlog, the scheduled trial in this matter has been pushed back to October 23, 2012.

Due to the aforementioned, upon consent of both counsel, we would respectfully request that your Honor consider rescheduling the next conference in this matter until after October 23, 2012.

We thank the Court in advance for any courtesies it may be able to extend and, again, apologize for yesterday and any inconvenience our actions may have caused.

Very truly yours,

CONDON & ASSOCIATES, PLLC

By: *Brian K. Condon*
Brian K. Condon (BC 4683)

BKC/dc

cc: John S. Wojak, Jr., Esq. (Via Fax Transmittal (212) 401-4732)